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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/169,023	10/08/1998	IVAN YANG	0100.01272	5153

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EXAMINER	
BUI, KIEU OANH T	

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/169,023	YANG ET AL.	
	Examiner	Art Unit	
	KIEU-OANH T BUI	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/26/04 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

4. Claims 1-2, 4-8, 10-14, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwoh et al (U.S. Patent 6,115,057/ or "Kwoh") in view of Chapman et al (US Patent No. 6,216,228 B1) and Schneidewend (US Patent No. 6,529,526 B1).

Regarding claim 1, Kwoh discloses a method for controlling display of content signals (col. 2/lines 6-26), the method comprises the steps of:

a) receiving a content signal that includes at least one of video, audio, and text content and at least one associated content control indicator, i.e., a content rating level control indicator is associated with at least one of video, audio, and text content at the step of receiving a content signal (Figs. 23-25, and col. 15/line 53 to col. 16/line 6; and col. 16/line 66 to col. 17/line 31);

b) comparing the at least one associated content control indicator with at least one content control setting (Fig. 31A/step 912, and col. 19/lines 9-36);

when the at least one associated content control indicator compares unfavorably to the at least one content control setting, i.e., at least one associated control indicator or content rating level control shows the unfavorable indication, e.g., a restricted program (Fig. 31A/ step 914; and col. 19/lines 9-36).

Kwoh shows to block selected programs based on their ratings (col. 3/line 53 to col. 4/line 16), but Kwoh does not show the steps of "c) scrambling at least a portion of the at least one of video, audio, and text content to produce scrambled content; and d) providing the scrambled content to a content rendering device"; however, Chapman teaches a video/audio decoder that can prevent to display an unsuitable content to viewer by scrambling only a portion of program, not an entire program before displaying it to users/viewers (Chapman, col. 4/lines 40-55, and col. 9/lines 19-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kwoh's rating control system with the teaching technique of Chapman for scrambling only a portion of programs before displaying them to viewers in order to

scramble at least a portion of the at least one of video, audio, and text content to produce scrambled content and providing the scrambled content to a content rendering device.

Kwoh and Chapman do not disclose the step of "passing the content signal through a scrambler without scrambling the content signal" as amended, and only after checking the content signal whether an unfavorably content control indicator occurs, then using the scrambler for scrambling at least the video, audio, and text (as indicated by Chapman in the step above); however, Schneidewend teaches a same technique as the programs are delivered to the users without scrambling from a variety of sources, and based on comparison of the content advisory descriptor containing in the program content ratings for programs from the broadcasters, the user at their viewing device control the display of rating content programs by setting the controls (col. 3/line 20 to col. 4/line 60 for preferred viewing and schedule based on content ratings of programs or events), and afterward, the content can be scrambling according at the decoder as long as the video and audio program is not suitable for viewing as pre-set by the user (col. 11/line 58 to col. 12/line 32 as the scrambling is addressed to use after the programs or events received at the user's viewing device).

As for claims 2, 8 and 14, in further view of claim 1 above, Chapman further discloses the steps comprises "scrambling at least a portion of the audio content to produce scrambled audio content, wherein the content signal includes the audio content; and providing the scrambled audio content to an audio rendering device", i.e., audio signals are scrambled (Chapman, col. 4/lines 40-55).

As for claim 4, in view of claim 1 above, Kwoh shows "scrambling the text content to produce scrambled text content, wherein the content signal includes the text content; and providing the scrambled text content to a display" because the text content is included in the television signal for scrambling (col. 12/line 63 to col. 13/line 5; col. 14/lines 7-30; and col. 14/line 66 to col. 15/line 45).

As for claim 5, in view of claim 1 above, Kwoh shows the step of "interpreting the at least one associated content control indicator to determine copy restriction status; and when copy restriction is enabled, preventing copying of the content signal", i.e., disabling or blocking a program as unfavorable program is set to be restricted; or in other words, the viewer is prevented from copying the content signal (col. 1/line 63 to col. 2/line 26) with the control menu (as illustrated in Fig. 11).

As for claim 6, in further view of claim 1 above, Kwoh further shows "comprises providing an audio scrambling signal to an audio processing module when the at least one associated content control indicator compares unfavorably to the at least one content control setting", i.e., audio content such as language is part of audio portions can be controlled for blocking (Kwoh, col. 9/lines 5-15) and/or scrambling (Chapman, col. 4/lines 40-55).

Regarding claim 7, Kwoh discloses a content controller comprises: a processing module (Fig. 5/item 80) ; and memory operably coupled to the processing module, i.e., a parental control memory (Fig. 5/item 84), wherein the memory stores operational instructions that cause the processing module to (a) receive a content signal that includes at least one of video, audio, and text content and at least one associated content control indicator; (b) compare the at least one associated content control indicator with at least one content control setting; when the at least one associated content control indicator compares unfavorably to the at least one content control setting (as illustrated in Fig. 5 for a memory storing control setting; and further in Fig. 6, and col. 6/line 19-col. 8/line 17 for detailed steps in controlling the setting based on rating control indicators).

Kwoh does not further show the steps of "c) scramble at least a portion of the at least one of video, audio, and text content to produce scrambled content; and (d) provide the scrambled content to a content rendering device"; however, Chapman teaches a video/audio decoder that can prevent to display an unsuitable content to viewer by

scrambling only a portion of program, not an entire program before displaying it to users/viewers (Chapman, col. 4/lines 40-55, and col. 9/lines 19-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kwoh's rating control system with the teaching technique of Chapman for scrambling only a portion of programs before displaying them to viewers in order to scramble at least a portion of the at least one of video, audio, and text content to produce scrambled content and providing the scrambled content to a content rendering device.

Kwoh and Chapman do not disclose the step of "passing the content signal through a scrambler without scrambling the content signal" as amended, and only after checking the content signal whether an unfavorably content control indicator occurs, then using the scrambler for scrambling at least the video, audio, and text (as indicated by Chapman in the step above); however, Schneidewend teaches a same technique as the programs are delivered to the users without scrambling from a variety of sources, and based on comparison of the content advisory descriptor containing in the program content ratings for programs from the broadcasters, the user at their viewing device control the display of rating content programs by setting the controls (col. 3/line 20 to col. 4/line 60 for preferred viewing and schedule based on content ratings of programs or events), and afterward, the content can be scrambling according at the decoder as long as the video and audio program is not suitable for viewing as pre-set by the user (col. 11/line 58 to col. 12/line 32 as the scrambling is addressed to use after the programs or events received at the user's viewing device).

As for claims 10-12, these claims for the steps of "wherein the memory further comprises operational instructions that cause the processing module to scramble at least a portion of the text content to produce scrambled text content, wherein the content signal includes the text content; and provide the scrambled text content to the display"; "wherein the memory further comprises operational instructions that cause the processing

module to interpret the at least one associated content control indicator to determine copy restriction status; and when copy restriction is enabled, preventing copying of the content signal"; and "wherein the memory further comprises operational instructions that cause the processing module to provide an audio scrambling signal to an audio processing module when the at least one associated content control indicator compares unfavorably to the at least one content control setting" are rejected for the reasons given in the scope of claims 4-6 as already discussed in details above.

Regarding claim 13, Kwoh discloses a video device (Fig. 18) comprises:

a tuner operably coupled to receive a content signal and to produce, therefrom, a digitized content signal (Fig. 18/item 438 or Fig. 25/ item 70 with digitized content signal in col. 15/line 30 to col. 16/line 6);

a video decoder operably coupled to receive the digitized content signal and to produce, therefrom, decoded video (as illustrated in Fig. 25 with an EDS decoder 710) ;

a graphics controller operably coupled to receive the decoded video and to provide, therefrom, a video output, i.e., a video circuit 440 for controlling and outputting video to monitor 442 (Fig. 18), wherein the graphics controller includes:

a processing module; and memory operably coupled to the processing module, wherein the memory stores operational instructions that cause the processing module to (a) monitor at least one of the content signal, the digitized content signal, the decoded video, and the video output, wherein the at least one of the content signal, the digitized content signal, the decoded video, and the video output includes video content and at least one associated content control indicator; (b) compare the at least one associated content control indicator with at least one content control setting; when the at least one associated content control indicator compares unfavorably to the at least one content control setting c) control scrambling of at least a portion of the digitized content signal or

the decoded video to produce scrambled video content; and (d) provide the scrambled video content as the video output (see claim 7 & Chapman, col. 4/lines 40-55 above).

As for claims 17-19, these claims are rejected for the reasons given in the scope of claims 4-6 as already discussed above.

As for claim 20, in view of claim 13, Kwoh further discloses "at least one of a display and a recorder, wherein the display and the recorder are operably coupled to receive the video output", i.e., a video cassette recorder or VCR is connected for recording (Fig. 18/item 44 or Fig. 29).

5. Claims 3, 9, 15-16, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwoh in view of Chapman, Schneidewend and further in view of Frederiksen (U.S. Patent 4,605,961).

As for claims 3, 9 and 15, in further view of claim 2 above, the combination of Kwok, Chapman, and Scheidewend does not show the issue as claimed; however, Frederiksen teaches an exact same technique in scrambling at least a portion of audio content to produce the scrambled audio content by using an audio scrambler 32 with the help of a random no generator 28 in randomly selecting at least portions of audio contents for scrambling (see Frederiksen, Fig. 1, col. 4/lines 54-63 and Fig. 9, col. 11/line 30 to col. 12/line 37 for segments containing either audio or video contents are scrambled). Frederiksen teaches "comprises attenuating the at least a portion of the audio content to produce the scrambled audio content", i.e., at least a portion of audio content are sampled and digitized in more delay times and undergoing several processes (col. 16/lines 9-28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kwoh, Chapman and Scheidewend's system with Frederiksen's detailed technique in using a separate audio scrambler in scrambling at least a portion of the audio content with the attenuating step as cited.

As for claim 16, in view of claim 15 above, Frederiksen reveals to comprise at least one of a scramble module and an attenuation module, i.e., within audio scrambler (Fig. 1/item 32), operably coupled to the audio decoder, i.e., audio digitizer (Fig. 1/item 31).

As for claims 21 and 22, in view of claim 13, the combination of Kwoh, Chapman, Scneidewend and Frederiksen teaches the steps of "comprising a scramble module operably coupled to scramble, when enabled, the at least a portion of the digitized content signal or the decoded video" and "wherein the graphics control further comprises a scramble module operably coupled to scramble, when enabled, the at least a portion of the digitized content signal or the decoded video" (see claims 1, 4-6 and 2-3 above).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wiedemer (US Pat. No.4,908,834) discloses a high security pay television system.

Jeffers et al. (US Pat. No.4,739,510) disclose a direct broadcast satellite signal transmission system.

Fujii et al. (US Pat. No.6,477,179 B1) disclose method and apparatus of data receiving.

Durden et al. (US Pat. No. 5,920,626) disclose a analog/digital system for television services.

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:
(703) 872-9306, (for Technology Center 2600 only)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui
Art Unit 2611
March 11, 2004

KRISTA BUI
PATENT EXAMINER